

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES)

v.)

Criminal No. 05-30002-MAP

FRANK DEPERGOLA, and)
ARMANDO BOTTA,)

Defendants)

MOTION TO SEAL

The United States of America, by and through Michael J. Sullivan, United States Attorney for the District of Massachusetts, moves this Court, pursuant to FRCP 6(e)(4), to seal the indictment (and direct that no person shall disclose the return of the indictment except when necessary for the issuance and execution of a warrant or summons) until the defendants are in custody or have been released pending trial in the above-captioned case and the Court has ordered the indictment unsealed.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

Ariane D. Vuono
ARIANE D. VUONO
Assistant U.S. Attorney

Dated: January 4, 2005